

COMMONWEALTH OF VIRGINIA
Department of Environmental Quality
South Central Regional Office

STATEMENT OF LEGAL AND FACTUAL BASIS

Solite, LLC and Giant Resource Recovery – Arvonía, Inc.
Arvonía (Buckingham County), Virginia
Permit No. SCRO-30200

Title V of the 1990 Clean Air Act Amendments required each state to develop a permit program to ensure that certain facilities have federal Air Pollution Operating Permits, called Title V Operating Permits. Pursuant to 40 CFR Part 70 and 9 VAC 5 Chapter 80, Solite, LLC (Solite) and Giant Resource Recovery – Arvonía, Inc. (GRR) have applied for a modification (significant) of their Title V Operating Permit for their Arvonía, Virginia facility. The Department has reviewed the application and has prepared the amended Title V Operating Permit.

Engineer/Permit Contact: _____ Date: _____

Air Permit Manager: _____ Date: _____

Regional Director: _____ Date: _____

FACILITY INFORMATION

PERMITTEE

Solite, LLC
P. O. Box 68
Arvonias, VA 23004

FACILITY

Solite, LLC
State Route 652
Arvonias, VA 23004

County-Plant Identification Number: 51-029-0005

SOURCE DESCRIPTION AND PROPOSED PERMITTING ACTION:

NAICS Code: 327999 – Lightweight Aggregate Manufacturing

Solite, LLC (Solite) is a lightweight aggregate manufacturing operation. Giant Resource Recovery, Inc. (GRR) is a hazardous waste fuel provider located adjacent to Solite. For Title V purposes, the two plants are considered to be a single stationary source; however, the Title V permit is divided into separate portions based on daily responsibilities of each plant. This permit action affects the Solite portion of the permit. Solite's (and GRR) Title V permit was renewed on December 3, 2006.

Solite submitted an application dated August 23, 2007 requesting to update portions of the Title V permit to include equipment exempt from NSR permitting; equipment that is no longer operational and permitted equipment not currently listed in the Title V. The permitted equipment is a NSR permit dated September 1, 2005 to operate the Svedala portable stone processing plant. On January 9, 2008, the permit was amended to make the equipment a permanent fixture at Solite-Arvonias.

According to Virginia Regulations, the majority of Solite's application request is processed as an administrative amendment to the Title V permit since these changes are corrections which do not substantially affect the permit (9 VAC5-80-200). The request to incorporate the NSR permit dated September 1, 2005 (as amended January 9, 2008) constitutes a significant modification to the Title V permit (9 VAC 5-80-230).

COMPLIANCE STATUS

A full compliance evaluation of this facility, including a site visit, has been conducted. In addition, all reports and other data required by permit conditions or regulations, which are submitted to DEQ, are evaluated for compliance. Based on these compliance evaluations, the facility has not

been found to be in violation of any state or federal applicable requirements at this time. The source was last inspected on September 20, 2007 and found to be in compliance.

SIGNIFICANT PERMIT MODIFICATION INFORMATION

As a result of the NSR permit dated September 1, 2005 (as amended January 9, 2008), the following changes are made to the Title V permit:

Svedala Equipment Identification

- Condition 2 of the NSR permit identifies a Svedala deck screen (SV-PS-1), a 36" belt conveyor (SV-PC-1), and four 30" belt conveyors (SV-PC-2 through SV-PC-5)

Svedala Equipment Applicable Requirements

As a result of the NSR permit, the following requirements are added to the Title V permit:

Limitations (Condition VII. A)

- The requirements established by the NSR permit Condition 3 are included without alterations. The requirements include emission limitation for fugitive dust and VOC emission controls. The current TV permit already contains a fugitive dust condition for the existing equipment. The fugitive VOC sub paragraph was added. Regulatory citations from the NSR permit were added (this condition was already applicable to existing the equipment).
- Condition 4 of the NSR permit established emission rate limits for PM and PM-10. These rates are included without alterations

Monitoring (Condition VII.B)

- Condition 13 of the NSR permit requires the Svedala equipment to be constructed allowing for emission test ports when requested.

Recordkeeping (Condition VII.C)

- Condition 10 of the NSR permit requires recordkeeping of emission calculation data, NSPS notifications, performance tests, and maintenance schedules. This condition was already in the Title V permit. The citation was updated to include Condition 10 of the NSR permit.
- The initial compliance notification requirements were completed August 16, 2005 and are not included in the Title V permit.

OTHER PERMIT CHANGES

The following administrative changes were made to Condition II of the Title V permit:

- Replace 25" x 40" TelSmith crusher with a 24" x 36" Gator crusher
- Replace 6' x 16' TelSmith screener with 6' x 16' Nordberg screener

- Replace belt width for conveyors FB1 and FB13 to 36", each
- Add new conveyor belts FB28, FB29, and FB30
- Include existing conveyor belt RB3 that was omitted during initial application
- The following equipment was deleted (since being shutdown and removed from site)
 - RS7 and RS8
 - RB11, RB12, RB13, RB14
 - FC3
 - FB2, FB3, FB4, FB14, FB15, FB20, FB26
 - SU5
 - PJC1
 - PS-1
 - PCC1
 - PJC-C1, PJC-C2, PS-C1, PS-C2, PS-C3, PS-C4, PS-C5, PS-C6, PCC-C1, PCC-C2
 - PJC-G, PS-G, PCC-G
 - 5BeltBH and 6BeltBH
- Correct belt width for RB1 to read 36"
- Correct capacities for SU8, SU9, SU10, and SU11 to read 168 yd³, 168 yd³, 400 yd³, and 60 yd³, respectively

TITLE V PROGRAM APPLICABILITY BASIS

Solite's Title V applicability remains unchanged since the renewal permit was issued December 3, 2006. The facility is a Title V major source for SO₂, NO_x, PM, chlorine, hydrochloric acid, and total HAPs.

COMPLIANCE ASSURANCE MONITORING (CAM)

The requirements of 40 CFR 64, Compliance Assurance Monitoring (CAM) apply to each emission unit at a major source that has a Title V permit:

- The unit emits or has the potential to emit (in the absence of add-on control devices) quantities of one or more regulated air pollutants that exceed major source thresholds (MST),
- The unit is subject to one or more emission limitations for the regulated air pollutant(s) for which it is major before control, and
- The unit uses a control device to achieve compliance with one or more of these emission limitations.

An emission unit must meet all three criteria to be subject to CAM. For an amendment, only units affected by the proposed change are reviewed. The Svedala equipment has emission limitations for PM-10; however pre-control PM-10 emissions are determined to be 42.4 ton/yr¹. CAM is not required for the Svedala equipment.

¹ July 18, 2005 NSR permit determination.

GENERAL CONDITIONS

The permit contains general conditions required by 40 CFR Part 70 and 9 VAC 5-80-110 that apply to all Federal-operating permitted sources. These include requirements for submitting semi-annual monitoring reports and an annual compliance certification report. The permit also requires notification of deviations from permit requirements or any excess emissions.

Comments on General Conditions**B. Permit Expiration**

This condition refers to the Board taking action on a permit application. The Board is the State Air Pollution Control Board. The authority to take action on permit application(s) has been delegated to the Regions as allowed by §2.1-20.01:2 and §10.1-1185 of the Code of Virginia, and the “Department of Environmental Quality Agency Policy Statement No. 2-2003”.

F. Failure/Malfunction Reporting

Section 9 VAC 5-20-180 requires malfunction and excess emission reporting within four hours of discovery. Section 9 VAC 5-80-250 of the Title V regulations also requires malfunction reporting; however, reporting is required within two days. Section 9 VAC 5-20-180 is from the general regulations. All affected facilities are subject to section 9 VAC 5-20-180 including Title V facilities. Section 9 VAC 5-80-250 is from the Title V regulations. Title V facilities are subject to both sections. A facility may make a single report that meets the requirements of 9 VAC 5-20-180 and 9 VAC 5-80-250. The report must be made within four daytime business hours of discovery of the malfunction.

U. Malfunction as an Affirmative Defense

The regulations contain two reporting requirements for malfunctions that coincide. The reporting requirements are listed in sections 9 VAC 5-80-250 and 9 VAC 5-20-180. The malfunction requirements are listed in General Condition U and General Condition F. For further explanation see the comments on general condition F.

FUTURE APPLICABLE REQUIREMENTS

None associated with this significant modification. Future applicability requirements based on MACT Subpart EEE are addressed in the previous renewal dated September 3, 2006.

INAPPLICABLE REQUIREMENTS

None identified by this significant modification.

INSIGNIFICANT EMISSION UNITS

There were no new submittals made of insignificant emission units for this modification.

CONFIDENTIAL INFORMATION

The permittee did not submit a request for confidentiality. All portions of the Title V application are suitable for public review.

PUBLIC HEARING AND COMMENT PERIOD:

Title V renewal permit is subject to a public comment period of at least 30 days. Additionally, EPA and affected states are afforded the same review opportunities as for initial permit issuance.

The draft permit will be placed on public notice in the *Farmville Herald* on March 5, 2008. The public comment period will end on April 4, 2008.

During the public comment period any interested person may submit written comments on the draft permit. All written comments should be addressed to the following individual and office:

Anita Walthall
Environmental Specialist II
Department of Environmental Quality
South Central Regional Office
7705 Timberlake Road
Lynchburg, VA 24502
Phone: (434) 582-6238
Fax: (434) 582-5125